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1. Business Cheating

A county prosecutor can sue a company for unfair competition and seek restitution and civil penalties for statewide violations including those outside the county.

2. Sorority Law

A partygoer was attacked with a glass bottle at an off-campus event and ejected from the premises. He sued the college, sorority, and its members based on violations of college guidelines. He lost because the defendants had not created a peril and were not liable for failing to protect him. The burden of providing security, permits, and other compliance outweighed the foreseeability of this injury and no duty was created.

3. Litigation

A litigant refusing to admit facts before trial, which are later proven at trial, can be ordered to reimburse the asking party for its costs of proving. However, where a losing plaintiff refused to admit it had "no case", no reimbursement was owed because the request was for a legal conclusion, not a provable fact.

4. Chair Law

One manufacturer sued another for selling knock-off designer chairs and won a verdict of \$7 million for infringement and diluting the value of the "trade dress" (appearance). The verdict was reversed on appeal because the chair was not proven to be "famous", here defined as "a household name".

5. Third Party Crimes

A foster parent's son assaulted the dependent child who sued the County for improperly monitoring the foster home, but lost,

because there was no duty to protect the child against crimes of third parties without knowledge of imminent acts.

6 State Immunity

An audited taxpayer sued the California Tax Board in Nevada state court over mishandling an audit, but the Supreme Court ruled that individual states retain sovereign immunity from private litigation and California could not be sued in Nevada.

7. Insurance

A policyholder who increases a hazard within its control loses coverage if it is aware, or should be aware, of the hazard.

8. Current Cases

This month our office is pursuing an insurer for reimbursement of claims expenses; prosecuting personal injury claims; defending a judgment enforcement; and advising on applications for government emergency loans, a corporate liquidation, and a real estate dispute.

This practice serves as a "lawyer of first resort", or "primary care attorney," advocating for small businesses and individuals with disputes and transactions, including accident victims by referral only. We specialize in personalized client service. If we can be of any assistance with your legal issues, consider contacting us as soon as a question is identified. Your recent referrals have been greatly appreciated.

Remember: Preventative lawyering is the most effective kind.

Sincerely,

HARMON SIEFF

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